Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

Claims 1-61 (canceled)

Claim 62 (new): A transgenic plant comprising a recombinant polynucleotide that encodes a polypeptide, wherein:

(a) the polynucleotide specifically hybridizes to SEQ ID NO: 3 or the complement of SEQ ID NO: 3 under stringent conditions that comprise wash conditions of 0.2x SSC, 0.1% SDS at 65°C; or

(b) the polypeptide has an amino acid sequence that is at least 85% identical to the amino acid sequence of SEQ ID NO: 4;

wherein the polypeptide is overexpressed in the transgenic plant.

Claim 63 (new): The transgenic plant of Claim 62, wherein said polypeptide has an amino acid sequence that is at least 90% identical to the amino acid sequence of SEQ ID NO: 4.

Claim 64 (new): The transgenic plant of Claim 62, wherein said polypeptide has an amino acid sequence that is at least 95% identical to the amino acid sequence of SEQ ID NO: 4.

Claim 65 (new): The transgenic plant of Claim 62, wherein said polypeptide comprises SEQ ID NO: 4.

Claim 66 (new): The transgenic plant of Claim 62, wherein said recombinant polynucleotide comprises SEQ ID NO: 3.

Claim 67 (new): The transgenic plant of Claim 62, wherein expression of the polypeptide is regulated by a constitutive, inducible, or tissue-specific promoter.

Claim 68 (new): The transgenic plant of Claim 62, wherein the transgenic plant is a transformed seed.

Claim 69 (new): A method for producing a transgenic plant, the method steps comprising:

introducing into the transgenic plant a recombinant polynucleotide that encodes a polypeptide, wherein:

(a) the polynucleotide specifically hybridizes to SEQ ID NO: 3 or the complement of SEQ ID NO: 3 under stringent conditions that comprise wash conditions of 0.2x SSC, 0.1% SDS at 65°C; or

(b) the polypeptide has an amino acid sequence that is at least 85% identical to the amino acid sequence of SEQ ID NO: 4;

wherein the polypeptide is overexpressed in the transgenic plant.

Claim 70 (new): The method of Claim 69, wherein said polypeptide has an amino acid sequence that is at least 90% identical to the amino acid sequence of SEQ ID NO: 4.

Claim 71 (new): The method of Claim 69, wherein said polypeptide has an amino acid sequence that is at least 95% identical to the amino acid sequence of SEQ ID NO: 4.

Claim 72 (new): The method of Claim 69, wherein said polypeptide comprises SEQ ID NO: 4.

Claim 73 (new): The method of Claim 69, wherein said recombinant polynucleotide comprises SEQ ID NO: 3.

Claim 74 (new): The method of Claim 69, wherein expression of the polypeptide is regulated by a constitutive, inducible, or tissue-specific promoter.

Claim 75 (new): The method of Claim 69, wherein the transgenic plant is a transformed seed.

Claim 76 (new): A transgenic plant comprising a recombinant polynucleotide that encodes SEQ ID NO: 4, wherein the polypeptide is overexpressed in the transgenic plant, the transgenic plant has greater tolerance to salt than a control plant.

Claim 77 (new): The transgenic plant of Claim 76, wherein the transgenic plant has greater cotyledon expansion than the control plant after growing for three days in the presence of 150 mM NaCl.

REMARKS

Applicants believe no new matter is added by this amendment. This amendment is being made in response to the Final Office action and was not made previously for that reason.

Amendments to the specification.

Amendments to the claims.

Claims 1-61 have been canceled. New claims 62-77 are being added. Applicants believe that present amendments place this application in condition for allowance.

Support for the amendments to the claims may be found, for example:

for wash conditions of 0.2x SSC, 0.1% SDS at 65°C, in the instant application on page 46, lines 3-4, and in priority application 60/125,814, filed 03/23/99, on pages 46-47 (see attached file "60125814_G482.pdf", with emphasis added):, " An alternative indication is to show whethr [sic] two nucleic acid molecules are closely related is that the two molecules hybridize to each other under stringent conditions…Nucleic acid molecules that hybridize under stringent conditions will typically hybridize to a probe based on either the entire cDNA or selected portions of the cDNA under wash conditions of 0.2x SSC, 0.1% SDS at 65°C"), and in the present application on page 6 at line 25, at page 45 at line 23 (the latter indicates the use of additional wash steps, if necessary), and on page 47, line 8 ("at least two final wash steps");

for 85%, 90% or 95% identity to identical to the amino acid sequence of SEQ ID NO: 4, in priority application 60/125,814, filed 03/23/99, on page 48 (see attached file "60125814_G482.pdf", with emphasis added): "[t]ranscription factors that are most closely related to the disclosed nucleotide sequences share at least 85%, 90% or 95% sequence identity with one or more of the disclosed Arabidopsis transcription factor proteins".

Response to specific items in the Office action

Item 4. Priority

After the present amendments have been entered, Applicants believe the presently amended claims are supported by the description presented in priority application 60/166,228, filed November 17, 1999, as indicated in the previous response to an Office action, and in priority application 60/125,814, filed 03/23/99, on pages 46-48, as indicated above. Support for the G482 sequence, SEQ ID NOs: 3 and 4, may be found in priority application 60/125,814 on the first page of the attached file "60125814_G482.pdf". The sequences described by Applicants in priority application 60/125,814, filed 03/23/99 (see attached file "60125814_G482.pdf", with emphasis added), are the same sequences taught by Edwards, 1998, cited by the

Examiner, in the form of sequence At3b, Y13724. As indicated above, specific claim elements that are included in the present amendment were described in these applications. The attached pages, with pertinent lines instantly boxed or underlined, indicate where these elements may be found.

Accordingly, Applicants believe the instant and priority applications 60/166,228, filed November 17, 1999. and 60/125,814, filed 03/23/99, disclose the present sequences, transgenic plants, and methods for determining salt stress tolerance.

Item 6. 35 U.S.C. §112, first paragraph, written description

Claims 39-42, 45-51, 54-58 and 61 have been rejected under 35 U.S.C. § 112 for allegedly failing to comply with the written description requirement. Applicants respectfully traverse the rejection and its supporting remarks.

However, in order to facilitate prosecution in this case Applicants have amended the pending claims, without prejudice or disclaimer. Other than the claims directly only to sequences comprising SEQ ID NO: 4, the claims as amended no longer include the functional limitation that the Examiner has asserted that the Applicants have not set forth the relationship between the structure and the function as claimed. One of skill in the art would clearly understand that the Applicants had possession of the claimed invention.

In light of these amendments, and arguments, Applicants respectfully request that the rejection under 35 U.S.C. §112, first paragraph, for lack of written description, be withdrawn.

Item 7. 35 U.S.C. §112, first paragraph, enablement

Claims 39-42, 45-51, 54-58 and 61 have been rejected under 35 U.S.C. § 112 for allegedly failing to comply with the enablement requirement. Applicants respectfully traverse the rejection and its supporting remarks.

However, in order to facilitate prosecution in this case Applicants have amended the pending claims, without prejudice or disclaimer. Other than the claims directly only to sequences comprising SEQ ID NO: 4, the claims as amended no longer include the functional limitation that the Examiner has asserted that the Applicants have not set forth the relationship between the structure and the function as claimed.

Applicants disclosed numerous closely-related sequences from diverse plant species, where the sequences fall within the scope of the instant claims, and methods for using these sequences to make transgenic plants. One of skill in the art would clearly understand that by this disclosure Applicants have enabled another skilled artisan to practice the claimed invention.

In light of these amendments, and arguments, Applicants respectfully request that the rejection under 35 U.S.C. §112, first paragraph, for lack of enablement, be withdrawn.